

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, MAY 8, 1989

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor McCarty at 2:05 p.m. Council Member McColl acknowledged the presence of Mr. Ralph Olivier, President of the El Cajon Boulevard Gateway Business Improvement Association, and Mr. Don Gale, Assistant General Manager of the Clarion Hotel, in the audience on the item related to the landscaping of the El Cajon Boulevard medians. Deputy Mayor McCarty acknowledged representatives from Kaiser in the audience and thanked them for their contributions in helping to plant trees along Waring Road, as well as the participation of Gardenville Nursery and Pizza Hut. Deputy Mayor McCarty adjourned the meeting at 4:38 p.m. to meet in Closed Session on Tuesday, May 9, 1989 at 9:00 a.m. in the twelfth floor conference room regarding pending and potential litigation and meet and confer issues.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-excused by R-273512

(Vacation)

- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Clerk-Abdelnour (jb)

19890508

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present

- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Rev. Richard Widmann of the
Grace Lutheran Church.

FILE LOCATION: MINUTES

May-8-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Henderson.

FILE LOCATION: MINUTES

ITEM-30: (R-89-2247) ADOPTED AS RESOLUTION R-273388

19890508

Accepting the generous donation by Thunderboats Unlimited
to the Mission Bay Trust Fund.
(District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A040-080.)

MOTION BY HENDERSON TO APPROVE ACCEPTANCE OF THE \$25,000
DONATION TO THE SAN DIEGO COMMUNITY FOUNDATION. Second by
Struiksma. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not
present.

May-8-1989

ITEM-31: WELCOMED

Welcoming a group of approximately five students from
various high schools in the San Diego area, accompanied by
Marge Wells, President of the San Diego-Yokohama Sister
City Society. This group will arrive at approximately 2:20
p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A201-236.)

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

4/17/89

4/18/89

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A081-085.)

MOTION BY STRUIKSMA TO APPROVE THE MINUTES. Second by Pratt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-50: (O-89-200) ADOPTED AS ORDINANCE O-17289 (New Series)

Amending the San Diego Municipal Code by amending Chapter

X, Article 1, Division 4, Section 101.0407 (R-1 Zones);

Division 9, Section 101.0900 (Planned Residential

Developments) and Section 101.0910 (Planned Commercial

Developments); and Division 11, Section 101.1120.9

(Temporary Subdivision Directional and Identification

Signs), to require the display of a current adopted

Community Plan Land Use Map and Public Facilities and

Financing Plan in all temporary housing sales offices and model homes.

(Introduced on 4/25/89. Council voted 8-0. Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A389-400.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

* ITEM-51: (O-89-196) ADOPTED AS ORDINANCE O-17290 (New Series)

Amending Chapter X, Article 3, Division 6, of the San Diego

Municipal Code by amending Section 103.0601, relating to

the North City West Planned District.

(District-1.)

(Introduced on 4/11/89. Council voted 6-0. Districts 2, 8

and Mayor not present. Reintroduced on 4/24/89. Council

voted 7-0. Districts 1 and 8 not present.)

FILE LOCATION: LAND - North City West Planned District

COUNCIL ACTION: (Tape location: A389-400.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

* ITEM-52: (O-89-192) ADOPTED AS ORDINANCE O-17291 (New Series)

Incorporating 7.50 acres, located south of Eastgate Mall between Towne Center Drive and Interstate 805 Freeway, into SR/HR Zone.

(Case-88-0481. University North Community Area.

District-1. Introduced on 4/25/89. Council voted 8-0.

Mayor not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A389-400.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

* ITEM-53: (O-89-205) ADOPTED AS ORDINANCE O-17292 (New Series)

Incorporating a 67.5-acre site, located east and west of El Camino Real and north of Carmel Mountain Road (a portion of the South Half of Section 30, Township 14 South, Range 3 West, SBBM), into R-1500 and M-IP Zones.

(Case-89-0357. Sorrento Hills Community Area. District-1.

Introduced on 4/25/89. Council voted 7-1. District 1

voted nay. Mayor not present.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A389-400.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

* ITEM-54: (O-89-206) ADOPTED AS ORDINANCE O-17293 (New Series)

Incorporating 39.1 acres, located north of the future extension of Carmel Mountain Road, and east of Interstate 5, portions of the Southeast 1/4 of Section 30 and the Southwest 1/4 of Section 29 all in Township 14 South, Range 3 West, SBBM, into R1-5000 Zone.

(Case-89-0358. Sorrento Hills Community Area. District-1.

Introduced on 4/25/89. Council voted 7-1. District 1 voted nay. Mayor not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A389-400.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

* ITEM-55: (O-89-207) ADOPTED AS ORDINANCE O-17294 (New Series)

Incorporating 256 acres, located north and south of the future extension of Carmel Mountain Road (portions of the South 1/2 of Section 30, the Southwest 1/4 of Section 29, the North 1/2 of Section 31, the North 1/2 of Section 32, the Southeast 1/4 of Section 32, all in Township 14 South, Range 3 West, SBBM), into M-IP and M-1B Zones.

(Case-89-0359. Sorrento Hills Community Area. District-1.

Introduced on 4/25/89. Council voted 7-1. District 1 voted nay. Mayor not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A389-400.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

* ITEM-56: (O-89-199) INTRODUCED, TO BE ADOPTED MAY 22, 1989

Introduction of an Ordinance amending Chapter III, Article 3, of the San Diego Municipal Code by amending Section 33.4308, relating to Regulations of Money Exchange Houses.

(See City Manager Report CMR-89-183.)

COMMITTEE ACTION: Reviewed by PSS on 4/19/89.

Recommendation to approve amendments. Districts 2, 3, 6 and 7

voted yea. District 4 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A401-405.)

CONSENT MOTION BY McCOLL TO INTRODUCE THE ORDINANCE. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-57: (O-89-208) INTRODUCED, TO BE ADOPTED MAY 22, 1989

Introduction of an Ordinance amending Chapter V, Article 1, of the San Diego Municipal Code by adding Division 10, Sections 51.1001 through 51.1014, relating to the use of Police Services at Large Parties, Gatherings or Events on Private Property, to enable the City to recover costs up to \$500 resulting from police response to loud party type disturbance calls. The provisions of this ordinance would become applicable upon the second and each subsequent response to the same incident, and after the person responsible for the loud party was advised of this ordinance.

(See City Manager Report CMR-89-191.)

COMMITTEE ACTION: Reviewed by PSS on 4/19/89.

Recommendation to approve the recovery of costs with a request that the City Attorney and City Manager review the collection of fees to insure successful recovery costs. Districts 2, 3, 4, 6 and 7 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A401-405.)

CONSENT MOTION BY McCOLL TO INTRODUCE THE ORDINANCE. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-100: (R-89-1969) ADOPTED AS RESOLUTION R-273389

Awarding contracts for the purchase of fire hose and couplings for a total cost of \$89,794.45, as follows: (BID-0493/89C)

1. Halprin Supply Co. for Items 1, 3, 16 and 17;
2. San Diego Fire Equipment Co., Inc., for Items 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14 and 15;

3. L. N. Curtis and Sons for Item 10.

Aud. Cert. 8900919.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-101: (R-89-1960) ADOPTED AS RESOLUTION R-273390

Awarding contracts to Wisconsin Trailer Co., Inc. and Walton Products for purchase of equipment hauling trailers at a total cost of \$38,879.52, including tax, as follows:
(BID-0462/89)

1. Wisconsin Trailer Co., Inc.: The low acceptable bid for Item 1, one tilt bed trailer, 28,000 lb. Gross Vehicle Weight; the low acceptable bid for Item 2, one 5th wheel tilt bed trailer, 28,000 lb.; the low bid for Item 3, one 5th wheel tilt bed trailer, 38,000 lb. Gross Vehicle Weight.
2. Walton Products: The low bid for Item 4, one tilt bed trailer, 15,000 lb. Gross Vehicle Weight.

Aud. Cert. 8900904.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-102: (R-89-1970) ADOPTED AS RESOLUTION R-273391

Awarding a contract to System 2/90, Inc., for signage for the City Operations Building, as required, for an estimated cost of \$37,416.50, including tax on materials.
(BID-0445/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-103: (R-89-1967) ADOPTED AS RESOLUTION R-273392

19890508

Inviting bids for the Mid-City Commercial Revitalization Program Phase 6A (Park Boulevard Adams/Madison) on Work Order No. 118695; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$465,400 (\$21,663 from CDBG Fund No. 18520, \$317,400 from CDBG Fund No. 18524, and \$126,337 from CDBG Fund No. 18525) for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0645/89)

(University Heights Community Area. Districts-2 and 3.)

CITY MANAGER SUPPORTING INFORMATION: This project is Phase 6A of the Mid-City Commercial Revitalization Program and will install public improvements at the north end of Park Boulevard. The project provides for the construction of replacement sidewalks, curbs, and gutters, installation of street lighting, trees, other landscaping, an irrigation system, benches and trash receptacles on Park Boulevard between Adams Avenue and Madison Avenue.

Aud. Cert. 8900880.

FILE LOCATION: W.O. 118695 CONT - ABC Construction Co.
CONTFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-104: (R-89-1968) ADOPTED AS RESOLUTION R-273393

19890508

Inviting bids for Mid-City Commercial Revitalization Project - Phase V - El Cajon Boulevard Medians on Work Order No. 118695; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$427,600 (\$80,000 from CDBG Fund No. 18523, \$107,600 from CDBG Fund No. 18524, and \$240,000 from CIP-29-614, Mid-City Beautification Project) for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0644/89)

(North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This project is Phase 5 of the Mid-City Commercial Revitalization Program and will install public improvements at the west end of El Cajon Boulevard. The project provides for the construction of center island (median) closures, turn pockets, landscaping and an irrigation system on El Cajon Boulevard between Park Boulevard and Texas Street, a distance of six blocks.

Aud. Cert. 8900881.

FILE LOCATION: W.O. 118695 CONT-T.B. Penick & Sons, Inc. CONTFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-105:

Two actions relative to Kearny Mesa, Mira Mesa, and Skyline Community Parks Lighting:
(Skyline-Paradise Hills, Linda Vista and Mira Mesa Community Areas. Districts-4 and 5.)

19890508

Subitem-A: (R-89-1971) ADOPTED AS RESOLUTION R-273394

Inviting bids for Kearny Mesa - Mira Mesa - Skyline Community Parks Lighting on Work Order Nos. 118918, 118919 and 119120; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to establish an interest bearing trust fund, Skyline Community Park - Lighting Grant Fund, for the receipt of State of California Grant Funds (Proposition 18), as required by the granting agency; authorizing the City Auditor and Comptroller, upon receipt of \$48,000 in grant funds from State of California Grant Funds (Proposition 18), to allocate these funds for the above described purpose; authorizing the City Auditor and Comptroller to transfer \$9,118 (\$2,133 from PSD Fund No. 11690 and \$6,985 from Special Park Fee Fund No. 39089) to CIP-29-658, Skyline Community Park - Lighting; authorizing the expenditure of an amount not to exceed \$105,018 (\$55,500 from PSD Fund No. 11432, CIP-29-564, Kearny Mesa Community Park - Lighting, \$40,400 from PSD Fund No. 11222, CIP-29-567, Mira Mesa Community Park - Lighting, and \$9,118 from CIP-29-658, Skyline Community Park - Lighting) for

said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0656/89)

Subitem-B: (R-89-1972) ADOPTED AS RESOLUTION R-273395

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0799 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This project will provide lighting for one sports field at each of three parks, Kearny Mesa Community Park, Mira Mesa Community Park and Skyline Community Park. The Skyline Community Park project has a \$48,000 grant. All other financing is from Park Service District Funds.

Aud. Cert. 8900891.

FILE LOCATION: W.O. 118918, 118919, 119120

CONT - Creative Lighting Inc. CONTFY89-3

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-106: (R-89-1966) ADOPTED AS RESOLUTION R-273396

19890508

Inviting bids for the Construction of Sewer Pump Station 72 Building Improvement on Work Order No. 171441; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$54,595 from Sewer Revenue Fund 41506, Sewer Systems Construction Program, CIP-46-106, Annual Allocation - Pump Station Restorations, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0642/89)

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Sewer Pump Station No. 72 was built in 1982 as part of Bernardo Heights Unit No. 8 Improvements. The station is a pumping package unit that is

enclosed in a fiber glass housing. The pump station is located in a residential development and generates excessive noise while in operation. The Community Association of Bernardo Heights and Las Brisas Homeowners Association have requested that the station be enclosed inside a sound proof building that aesthetically matches the surrounding neighborhood. The proposed structure (16' X 16' X 12') consists of masonry walls with a vaulted ceiling. The pump station contains 2 pumps rated at 300 GPM each and is serving the community adequately; therefore, no additional pumps are required.

Aud. Cert. 8900884.

WU-P-89-146.

FILE LOCATION: W.O. 171441 CONT - Engicon CONFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-107: (R-89-1965) ADOPTED AS RESOLUTION R-273397

19890508

Inviting bids for the Building Facade Cleaning of Casa Del Prado and Casa de Balboa, Balboa Park on Work Order No. 119374; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$80,000 from Fund 102242 for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-0643/89)

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for the removal of an accumulation of dust, debris and jet fuel film that detracts from the facilities aesthetics and will deteriorate the exterior finishes on Casa Del Prado and Casa De Balboa which are approximately 19 years old.

Aud. Cert. 8900886.

FILE LOCATION: W.O. 119374 CONT-Arebalo Enterprises CONFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-108: (R-89-2072) ADOPTED AS RESOLUTION R-273398

Dedicating the street reservation in Lot 168 of
Penasquitos Park View Estates Unit No. 14, Map-12026, as
and for a public street and naming the same Eclipse Road.

(Penasquitos East Community Area. District-1.)

FILE LOCATION: DEED F-4912 DEEDFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-109: (R-89-2068) ADOPTED AS RESOLUTION R-273399

Establishing a parking time limit of two hours between the
hours of 8:00 a.m. and 6:00 p.m., Sundays and certain
holidays excepted, on the south side of Wightman Street
between Fairmount Avenue and 44th Street; authorizing the
installation of the necessary signs and markings; declaring
that the hereinabove imposed regulations shall become
effective upon the installation of such signs.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The proposed time limit
parking zone was petitioned by property owners representing 100
percent of the affected frontage. Recent parking studies
determined the average parking occupancy to be 78 percent and
the average parking duration to be 3.5 hours. All of the time
limit zones in the general area are for two-hour limits. This
area receives a high level of enforcement. The requested time
limit parking zone meets the requirements of Council Policy
200-4 for installation of a two-hour time limit parking zone and
is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-110:

Six actions relative to load limit restrictions on Kelton
Road, Old Memory Lane, Pitta Street, 51st Street, Hilltop
Drive and Geneva Avenue:

(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-89-2022) ADOPTED AS RESOLUTION R-273400

Prohibiting commercial vehicles with a gross vehicle weight rating of over 5,000 pounds from operating on Kelton Road (Highway 94 to Alvin Street); authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

Subitem-B: (R-89-2023) ADOPTED AS RESOLUTION R-273401

Prohibiting commercial vehicles with a gross vehicle weight rating of over 5,000 pounds from operating on Old Memory Lane (Gravity Way to Luber Street); authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

Subitem-C: (R-89-2024) ADOPTED AS RESOLUTION R-273402

Prohibiting commercial vehicles with a gross vehicle weight rating of over 5,000 pounds from operating on Pitta Street (Market Street to Kenwood Street); authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

Subitem-D: (R-89-2025) ADOPTED AS RESOLUTION R-273403

Prohibiting commercial vehicles with a gross vehicle weight rating of over 5,000 pounds from operating on 51st Street (Market Street to Roswell Street); authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

Subitem-E: (R-89-2026) ADOPTED AS RESOLUTION R-273404

Prohibiting commercial vehicles with a gross vehicle weight rating of over 5,000 pounds from operating on Hilltop Drive (Euclid Avenue to Roswell Street); authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

Subitem-F: (R-89-2027) ADOPTED AS RESOLUTION R-273405

Prohibiting commercial vehicles with a gross vehicle weight rating of over 5,000 pounds from operating on Geneva Avenue (Euclid Avenue to Beverly Street); authorizing the

installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION: A petition to restrict large trucks was received by the Emerald Hills Neighborhood Council. A review of the community revealed that all the streets within the proposed restriction are residential streets. Adoption of this truck restriction will not block commercial vehicles with a legal destination or delivery within the restricted area, it will only eliminate residential streets being used as a truck route or short cut. We recommend that this truck restriction be implemented.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-460.)

MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-111: (R-89-2108) ADOPTED AS RESOLUTION R-273406

Designating Tuesday, May 2, 1989 as "Nurse Recognition Day" to recognize the nursing profession for its contributions to the community.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-112: (R-89-2071) ADOPTED AS RESOLUTION R-273407

Excusing Council Member Wes Pratt from the April 12, 1989 Special meeting of the Rules Committee to attend a meeting of the Coastal Commission and from the morning session of the April 18, 1989 Council meeting due to City business related to gangs and crime.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-113: (R-89-2062) ADOPTED AS RESOLUTION R-273408

Adopting the Annual Equal Opportunity Report prepared by the Personnel Director and approved by the Rules Committee.

(See the Personnel Director's Report dated April 5, 1989.)

COMMITTEE ACTION: Reviewed by RULES on 4/5/89.

Recommendation to accept the Personnel Director's Report.

Districts 3, 4, 6, 7 and Mayor voted yea. District 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-114: (R-89-2064) ADOPTED AS RESOLUTION R-273409

Accepting and approving the City Manager's Equal Opportunity Status Report, dated 4/17/89.

(See City Manager Report CMR-89-188.)

COMMITTEE ACTION: Reviewed by RULES on 4/19/89.

Recommendation to accept the report with the recommendation that the report indicate the number of MBE-WBE contractors involved as well as the dollar value of the contracts. This recommendation is to include the City's Independent Corporations. Districts 2, 4, 7 and Mayor voted yea. Districts 3 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A461-490.)

MOTION BY PRATT TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-115: (R-89-1860) ADOPTED AS RESOLUTION R-273410

Adopting the Annual Economic Development Program Report, City Manager Report CMR-89-136, pursuant to Council Policy 900-1.

(See City Manager Report CMR-89-136.)

COMMITTEE ACTION: Reviewed by RULES on 4/19/89.

Recommendation to accept the report. Districts 2, 4, 7 and Mayor voted yea. Districts 3 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-116: (R-89-2088) ADOPTED AS RESOLUTION R-273411

Authorizing the execution of the first amendment to the agreement of May 19, 1980 with the County of San Diego to provide for the completion of an environmental impact report for the Los Penasquitos Canyon Preserve Master Plan; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$19,250 from Penasquitos Canyon Preserve Park Fund No. 10582 to CIP-29-428, Los Penasquitos Canyon Preserve; authorizing the expenditure of an amount not to exceed \$19,250 from CIP-29-428, Los Penasquitos Canyon Preserve, for the purpose of providing funds for the above contract; authorizing the City Auditor and Comptroller, upon the advice from the Park and Recreation Department Director, to transfer excess funds, if any, to the appropriate reserve.

(Los Penasquitos Canyon Preserve Community Area. Districts-1 and 5.)

CITY MANAGER SUPPORTING INFORMATION: On May 19, 1980, the City and County of San Diego entered into an agreement for the preparation of an environmental assessment of the area within the Los Penasquitos Canyon Preserve. This environmental assessment served as the basis for the development of the Los Penasquitos Canyon Preserve Master Plan. Now that the Master Plan is sufficiently developed, an Environmental Impact Report (EIR) is required. This first amendment to the agreement will provide for the preparation of the EIR. Under the terms of the amendment the County will assume the lead responsibilities for the EIR. The City and County agree to share the cost of the EIR equally.

Aud. Cert. 8900913.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-117: (R-89-2093) ADOPTED AS RESOLUTION R-273412

Authorizing the execution of a first amendment to the 10-year lease agreement, which commenced August 1, 1984, with National University, which reduces the leased premises at Montgomery Field Airport to 3,000 square feet, at an adjusted annual rent of \$42,300.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On June 18, 1984, the City Council authorized the City Manager to execute a ten-year flat rate lease agreement with National University (Document RR-260969) for 3,220 square feet of the Administration Building at Montgomery Field, plus a portion of the adjacent parking lot, for development and operation of an aviation school. This first amendment will delete 220 square feet of the Administration Building from the leased premises, with an appropriate adjustment in the security deposit and a reduction in rent from \$3,783.05 to \$3,525 per month. This amendment is mutually beneficial, because the lessee no longer uses the deleted area and City Airports needs the area for additional office space. The effective date of the first amendment is retroactive to March 1, 1989.

FILE LOCATION: LEAS - National University LEASFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-118: (R-89-2066) ADOPTED AS RESOLUTION R-273413

Authorizing the execution of a second amendment to the agreement with San Diego Regional Center for the Developmentally Disabled, for selling Dial-A-Ride services to their designated clients, extending the term of the agreement for an additional one-year period ending June 30, 1990.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Regional Center provides educational and rehabilitative services to developmentally disabled clients attending day programs within the City. Many of Regional Center's clients are eligible to purchase a limited amount of Dial-A-Ride coupons at a 75 percent or 85 percent discount. Most Dial-A-Ride trips are on an occasional, individual basis and the passenger pays the driver with coupons. Regional Center's program transportation is designed so that several clients travel in a single vehicle from various locations to a common destination on a daily basis. A

third party billing arrangement amount the transportation operator, the City and the agencies is a more efficient method of payment in these instances.

These agreements allow San Diego Regional Center to purchase Dial-A-Ride services at: 1) 25 percent of cost for their clients who are eligible for the City's monthly allocation for taxi trips; 2) 15 percent of cost for clients who are eligible for the City's monthly allocation for wheelchair lift-equipped van service; 3) 100 percent of cost for service provided to their clients who are not eligible for the City's subsidy. The provider will invoice the City for the service; the City will bill the agencies for the provider's cost less any applicable Dial-A-Ride subsidy. The City entered into a similar agreement with San Diego Regional Center for FY 1986, 87, 88 and 89.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-119: (R-89-2070 Rev.1) ADOPTED AS RESOLUTION R-273414

19890508

Authorizing the execution of a first amendment to the agreement with the County of San Diego, for the purpose of selling Dial-A-Ride coupons to the County's Multipurpose Senior Services Program and Linkages Program which will enable their clients to utilize the City of San Diego's Dial-A-Ride service.

CITY MANAGER SUPPORTING INFORMATION: The County of San Diego's Multipurpose Senior Services Program (MSSP) and Linkages Program provide comprehensive case management services to low income elderly and disabled individuals who require assistance in maintaining an independent life-style. A major aspect of both programs is the funding of transportation services for clients, many of whom are city residents eligible to purchase Dial-A-Ride coupons at a 75 percent or 85 percent discount. The coupons enable the individual to purchase taxicab or lift equipped van services from any of 27 registered providers. These agreements allow the County of San Diego to purchase Dial-A-Ride coupons: 1) at 25 percent of face value for distribution to their clients who are eligible for the City's monthly allocation for taxi trips; 2) at 15 percent for

distribution to their clients who are eligible for the City's monthly allocation for wheelchair lift-equipped van service; 3) at 100 percent for distribution to their clients in excess of the City's monthly allocation; and 4) at 100 percent for their clients who are not eligible for the City's subsidy. The County will distribute the coupons to clients and pay the City monthly. The City entered into similar agreements with the County for FY 1986, 87, 88 and 89.

FILE LOCATION: MEET CONFY 89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-120:

Ten actions relative to Youth Sports Permit Renewals - 1989 Season:

19890508

Subitem-A: (R-89-2073) ADOPTED AS RESOLUTION R-273415
Authorizing the execution of a permit agreement with Balboa Little League and Senior League for the construction, operation and maintenance of a ball park in San Diego.
(Clairemont Community Area. District-6.)

Subitem-B: (R-89-2074) ADOPTED AS RESOLUTION R-273416
Authorizing the execution of a permit agreement with Chollas Lake Little League for the construction, operation and maintenance of a ball park in San Diego.
(Mid-City Community Area. District-3.)

Subitem-C: (R-89-2075) ADOPTED AS RESOLUTION R-273417
Authorizing the execution of a permit agreement with Clairemont Bobby Sox for the construction, operation and maintenance of a ball park in San Diego.
(Clairemont Community Area. District-6.)

Subitem-D: (R-89-2076) ADOPTED AS RESOLUTION R-273418
Authorizing the execution of a permit agreement with Mission Trails Little League and Senior League for the construction, operation and maintenance of a ball park in San Diego.

(Navajo Community Area. District-7.)

Subitem-E: (R-89-2077) ADOPTED AS RESOLUTION R-273419

Authorizing the execution of a permit agreement with
Presidio Little League for the construction, operation and
maintenance of a ball park in San Diego.

(Mission Valley Community Area. District-5.)

Subitem-F: (R-89-2078) ADOPTED AS RESOLUTION R-273420

Authorizing the execution of a permit agreement with Rancho
Bernardo Recreation Council for the construction,
operation and maintenance of a ball park in San Diego.

(Rancho Bernardo Community Area. District-1.)

Subitem-G: (R-89-2079) ADOPTED AS RESOLUTION R-273421

Authorizing the execution of a permit agreement with San
Carlos Little League and Senior League for the
construction, operation and maintenance of a ball park in
San Diego.

(Navajo Community Area. District-7.)

Subitem-H: (R-89-2080) ADOPTED AS RESOLUTION R-273422

Authorizing the execution of a permit agreement with Serra
Mesa Little League for the construction, operation and
maintenance of a ball park in San Diego.

(Serra Mesa Community Area. District-5.)

Subitem-I: (R-89-2081) ADOPTED AS RESOLUTION R-273423

Authorizing the execution of a permit agreement with
Sunshine Little League for the construction, operation and
maintenance of a ball park in San Diego.

(Mid-City Community Area. District-3.)

Subitem-J: (R-89-2082) ADOPTED AS RESOLUTION R-273424

Authorizing the execution of a permit agreement with
Sunshine Pony and Colt League for the construction,
operation and maintenance of a ball park in San Diego.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Council Policy 700-3

provides for unused City-owned lands to be made available for
the construction, operation, and maintenance of youth ball
fields on an annual basis. The ten youth sport organizations,
which are listed above, operated these ball fields last year
under this program and have requested renewal of their
agreements for 1989. Each league pays a \$100 processing fee,

carries public liability insurance protecting the City, and is responsible for complete maintenance of its ball field or fields. In turn, the City pays for water service out of the Park and Recreation Department's budget and does not charge the leagues rent for use of the land.

FILE LOCATION: LEAS - Youth Sports

Subitem A Balboa Little League and
Senior League,

Subitem B Chollas Lake Little
League,

Subitem C Clairemont Bobby Sox,

Subitem D Mission Trails Little League and
Senior League,

Subitem E Presidio Little
League,

Subitem F Rancho Bernardo Recreation
Council,

Subitem G San Carlos Little League
and Senior League,

Subitem H Serra Mesa
Little League,

Subitem I Sunshine Little
League,

Subitem J Sunshine Pony and Colt
League LEASFY89-10

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-150:

Two actions relative to the Schedule of Landfill Refuse Disposal Fees:

(See City Manager Report CMR-89-187.)

Subitem-A: (R-89-2061) ADOPTED AS RESOLUTION R-273425

Adoption of a Resolution approving the Schedule of Landfill Refuse Disposal Fees, in accordance with the effective provisions of the San Diego Municipal Code Section 66.0125; declaring that the landfill disposal fees shall become effective July 1, 1989.

Subitem-B: (O-89-214) INTRODUCED, TO BE ADOPTED MAY 22, 1989

Introduction of an Ordinance amending Chapter VI, Article 6, Division 1, of the San Diego Municipal Code by amending Sections 66.0112, 66.0124, 66.0125 and 66.0126, relating to Refuse Disposal, to revise refuse collection, transportation, disposal and license fees and landfill disposal regulations.

COMMITTEE ACTION: Reviewed by PSS on 4/19/89.

Recommendation to approve the Land Disposal Fees with a request that the City Manager report or present a fine schedule, comparison of fines with those of other cities, and proposed methods to discourage illegal dumping, including citizen awards. A report on illegal dumping should be presented 6 months after adoption. Districts 2, 3, 4, 6 and 7 voted yeas.

FILE LOCATION:

Subitem A MEET;

Subitem B--

COUNCIL ACTION: (Tape location: C094-450.)

MOTION BY WOLFSHEIMER TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yeas, Roberts-yeas, McColl-yeas, Pratt-yeas, Struiksma-yeas, Henderson-yeas, McCarty-yeas, Filner-yeas, Mayor O'Connor-not present.

ITEM-200: (O-89-183) CONTINUED TO MAY 22, 1989, AT 2:00 P.M.

(Continued from the meetings of March 20, 1989, Item 54, and April 11, 1989, Item 336; last continued at Council Member McColl's request, to be considered after the State and Federal Legislatures take action.)

Adoption of an Ordinance amending Chapter V, Article 3, of the San Diego Municipal Code, by adding Section 53.32, relating to the Prohibition of Sale or Possession of Assault Weapons.

(Introduced as amended on 2/27/89 with three changes:

(1) Supporting State Legislation; (2) Police Training;

(3) Returning of Weapons. Council voted 7-2. Districts 5 and 6 voted nay.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C451-D315.)

MOTION BY McCOLL TO DIRECT THE CITY ATTORNEY TO AMEND THE LANGUAGE OF THE ROBERTI BILL AND BRING BACK AN EMERGENCY ORDINANCE, ALONG WITH THE PRESENT ORDINANCE BEFORE THE COUNCIL, IN TWO WEEKS. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-201: (R-89-1951) ADOPTED AS RESOLUTION R-273426

19890508

(Continued from the meeting of April 24, 1989, Item 103, at Council Member McCarty's request, to allow staff to confer with Kaiser.)

Inviting bids for the Construction of Traffic Signal and Street Lighting Systems at Mission Gorge Road and Vandever Avenue and Traffic Signal Interconnect System on Mission Gorge Road from Alvarado Canyon Road to Friars Road on Work Order No. 119049; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$100,000 from Capital Outlay Fund 30244, CIP-61-003, Annual Allocation - Modernize Obsolete Traffic Signals - Unidentified Locations to Capital Outlay Fund 30244, CIP-61-002, Annual Allocation - New Traffic Signals; authorizing the expenditure of funds not to exceed \$269,600 from CIP-61-002, Annual Allocation - New Traffic Signals, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-61-002, Annual Allocation - New Traffic Signals. (BID-0608/89)

(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: This Capital Improvements Project will provide a new traffic signal at the intersection of Mission Gorge Road and Vandever Avenue; and an interconnect system that will coordinate the operation of seven traffic signals on Mission Gorge Road between Alvarado Canyon Road and Friars Road.

Aud. Cert. 8900704.

FILE LOCATION: W.O. 119049 CONT - Select Electric CONTFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-202: (R-89-2096) ADOPTED AS RESOLUTION R-273427

Authorizing the City Manager to execute a consultant services agreement with Freilich, Lietner, Carlisle, and Shortlidge, relating to the City's on-going Growth Management Program and related land use planning and plan implementation matters; authorizing the City Auditor and Comptroller to transfer within the General Fund (100) a total of \$22,947 (Non-Personnel Expense) from the Unallocated Reserve (605) to the Planning Department (065) for the above purpose; authorizing the expenditure of an amount not to exceed \$75,000 from the Planning Department for the purpose of providing funds for the above purpose.

PLANNING DEPARTMENT SUPPORTING INFORMATION: On February 28,

1989 Council directed the City Manager and Planning Director to docket a Resolution approving a proposed agreement between the City and Freilich, Lietner, Carlisle, and Shortlidge for consulting services relating to the City's Growth Management Program and related land use planning and plan implementation matters. The proposed agreement provides for compensation not to exceed \$75,000, with the term of the contract to expire on June 30, 1989 unless extended by the Council. The proposed agreement includes an overall work program but also requires specific authorization letters from the City Planning Director to proceed on any work item. Funding for this agreement will be provided from the General Fund Unallocated Reserve (\$22,947), and from the Planning Department Current FY 1989 Appropriations without affecting funding for any scheduled Community Planning projects. Although authorized, the Planning Director will not be committed by the agreement to expend the entire compensation amount. Today's action is adoption of a Resolution authorizing execution of the agreement and authorization to expend the funds indicated for this purpose.

Aud. Cert. 8900842.

FILE LOCATION: MEET CCONTFY89-1

COUNCIL ACTION: (Tape location: B611-C093.)

MOTION BY STRUIKSMA TO APPROVE. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, McColl-yea,

Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-nay,
Filner-yea, Mayor O'Connor-not present.

ITEM-203: (R-89-1722) CONTINUED TO MAY 22, 1989, AT 2:00 P.M.

(Continued from the meeting of April 10, 1989, Item 120, at
Bob Long's request, to allow more time to review the
report.)

Authorizing the City Manager to extend through July 28,
1991, an option/lease agreement with the Lake Hodges
Performing Arts Association, Inc., which grants the
Association the exclusive right to lease approximately 30
acres of City-owned land for construction and operation of
an outdoor Amphitheater and Regional Performing Arts
Center; declaring that the monthly consideration for the
option shall be increased for the period commencing
February 1, 1989, from \$50 to \$200 per month.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On November 26, 1985

the City Council authorized the execution of a three-year option
to lease and lease agreement with the Lake Hodges Performing
Arts Association, Inc., for the construction, operation and
maintenance of an open air performing arts center in Rancho
Bernardo on approximately 30 acres of City-owned (Water
Utilities) land. A Conditional Use Permit (CUP) was issued in
1985 and recently extended until 1991. Pursuant to the
authority granted to the City Manager in the Option Agreement,
the agreement was extended for 60 days until January 30, 1989.
The lessee is currently attempting to work out a joint
development plan with J. C. Resorts for a golf course and the
proposed outdoor performing arts center and has requested an
additional extension. The City Manager proposes to extend the
Option Agreement until July 28, 1991, terminating simultaneously
with the extended CUP. In accordance with the Option Agreement,
monthly consideration from the association to the City will be
increased from \$50 to \$200 a month during the term of the
extension. All of the other terms and conditions of the option
will remain the same.

WU-PR-89-113.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A361-387.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MAY 22, 1989, AT 2:00 P.M.,
AT RAMONA SALISBURY'S REQUEST, REPRESENTING THE RANCHO BERNARDO
PLANNING BOARD, TO ALLOW TIME FOR THE ITEM TO BE PLACED ON THEIR
AGENDA. Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-not present.

ITEM-S400: (R-89-1695) ADOPTED AS RESOLUTION R-273428

Commending the men and women of GE Plastics for their hard
work and dedication, innovation and cooperation in
rehabilitating the Copley Family YMCA during their annual
meeting in San Diego in January of this year.
(District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A086-200.)

MOTION BY McCOLL TO APPROVE. Second by Pratt. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-not present.

ITEM-S401: (R-89-2118) ADOPTED AS RESOLUTION R-273429

Commending Dorothy Leonard on this 8th day of May, 1989
for her many outstanding community services and tireless
efforts for the City of San Diego and State of California.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A237-319.)

MOTION BY McCOLL TO APPROVE. Second by Pratt. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-not present.

ITEM-S402: (R-89-2123) ADOPTED AS RESOLUTION R-273430

Commending John Kern for his dedicated service to the
people of San Diego in his ten years of service to the 7th
Council District, and wishing him the best of luck in his
future endeavors.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO APPROVE. Second by Henderson.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S403: (R-89-2122) ADOPTED AS RESOLUTION R-273431

Commending the Kiwanis Club of Lake Murray for its tireless and unselfish efforts and outstanding community service on this 8th day of May, 1989.

(District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A320-360.)

MOTION BY McCOLL TO APPROVE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S404: (R-89-2119) ADOPTED AS RESOLUTION R-273432

Declaring Saturday, May 20, 1989 as "Kid's Fishing Day at Lake Murray"; waiving the permit fees required to engage in fishing for children fifteen years of age and under on Saturday, May 20, 1989.

(District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO APPROVE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-S405: (R-89-2139) ADOPTED AS RESOLUTION R-273433

A Resolution approved by the City Council in Closed Session on Tuesday, April 18, 1989 by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-not present; Pratt-not present; Struiksmma-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$300,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Roy Anthony Mason (United States District Court Case No. 87-1461-R(BTM), Roy Anthony Mason, aka Anthony Jones, v. City of San Diego, et al.; authorizing the City Auditor and Comptroller to issue two checks: one check in the amount of \$145,000 made payable to Roy Anthony Mason and Irwin Gostin, and his attorney; and one check in the amount of \$155,000 made payable to P.L. Assigned Services, Inc., in full settlement of the lawsuit and of all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes a

complete and final settlement of the personal injury claim of Roy Anthony Mason against the City of San Diego as a result of an incident on October 6, 1986.

Aud. Cert. 8900938.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO APPROVE. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-S406: (R-89-2138) ADOPTED AS RESOLUTION R-273434

Approving Change Order No. 1, dated April 10, 1989, issued in connection with the contract between the City and Pacific Paving and Grading for the replacement of Argos Drive storm drain, amounting to a net increase in the contract price of \$61,124.80; authorizing the City Auditor and Comptroller to transfer \$61,000 from CIP-11-242, Gas Tax Fund (302191) to CIP-11-243, Replacement of Argos Drive Storm Drain, for the purpose of funding this change order. (District-3.)

CITY MANAGER SUPPORTING INFORMATION: The Argos Drive storm drain project replaces 88 feet of pipe that has collapsed and barely functions. The condition of the pipe was discovered by General Services during their routine maintenance checks. This pipe is extremely difficult to replace because the project area is crowded with surface improvements, such as homes, walls, and patios. To avoid damaging these improvements, "jacking" a new pipe is the best method of installation. Since General Services is not capable of "jacking" a pipe, maintenance funds were diverted to the Engineering and Development Department to let a contract for the pipe replacement. A contract was awarded, and at the start of work, many large rocks, roughly a foot in diameter, were encountered. This rocky condition is extremely unusual and unanticipated. To complete the project, it is necessary to jack a pipe through this rocky subsoil; and because of this, the construction cost goes up significantly. A "not-to-exceed" cost has been negotiated with the contractor. This cost, which is reasonable for this type of work, requires an additional \$61,124.80. Should the condition of the subsoil improve as the work progresses, some or most of the extra funds will not need to be expended.

Aud. Cert. 8900932.

FILE LOCATION: CONT - Thomas Thecker, dba Pacific Paving

and Grading

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO APPROVE. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S407: (R-89-2543) ADOPTED AS RESOLUTION R-273435

19890508

In the Matter of Amendments to SB 303.

DOCKET SUPPORTING INFORMATION: Discussion of Proposition "C"

Blue Ribbon Committee initiated draft amendments to SB 303

(Deddah "spot bill" on San Diego County Regional Planning and

Growth Management Review Board): To provide direction to the

San Diego City Representative to SANDAG regarding actions which

may be taken by the SANDAG Executive Committee to keep SB 303

active during this legislative session. At the April 28, 1989,

Public Meeting of the Proposition "C" Blue Ribbon Committee,

action was taken to direct SANDAG General Council to prepare

draft amendment language to SB 303. The existing "spot bill"

sponsored by State Senator Deddah which could be utilized to

implement Proposition "C" if it is determined state legislation

is necessary to carry out the duties of the yet to be formed

Regional Planning and Growth Management Review Board. To retain

the option for the bill to move forward this year if that

determination is made by the Blue Ribbon Committee and/or future

Regional Board, the Amendments to SB 303 have been drafted.

Without the Amendments, the bill could not move forward and

would be relegated to the status of a two-year bill.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A491-B610.)

MOTION BY STRUIKSMA TO SUPPORT THE PROPOSED AMENDMENTS SB 303 AS

DRAFTED BY DR. FREILICH, WITH THE UNDERSTANDING THAT HE (MR.

STRUIKSMA) WILL PRESENT THEM TO THE EXECUTIVE COMMITTEE OF THE

SANDAG BOARD THIS FRIDAY. ABSENT ACCEPTANCE OF THESE AMENDMENTS

BY THE SANDAG BOARD, HE, AS THE COUNCIL'S REPRESENTATIVE, HAS

COUNCIL'S AUTHORIZATION TO VOTE IN OPPOSITION TO THE BILL.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

ITEM-S408: (R-89-2140) ADOPTED AS RESOLUTION R-273436

Authorizing the execution of a second amendment to the Convention Center Management Agreement; designating the Convention Center Corporation to act as the City's Agent for purposes of purchasing FFE items for the new Convention Center, and delegating the authority for the award of bid to the Convention Center Board of Directors.

(See City Manager Report CMR-89-222.)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A406-430.)

CONSENT MOTION BY FILNER TO APPROVE. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER

Request by Henry Dupree for a hearing to lift restrictions on the parking on Park Boulevard.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D386-392.)

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor McCarty at 4:38 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D393).